

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held April 3, 2023 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Supervisor’s Office, to wit:

Check Run #04172023

Total amount hereby authorized to be paid: \$

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 310 of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
20228629		Summers and Sons Construction	42 Running Brook Dr	Er. Porch/Porch Cover	
20238695		Mechanical Serv. by Radiant	17 Cayuga Ave	Er. Res. Alt.	(V/L)
20238835		Painttech	5916 Broadway	Re-Roof	
20238855		Daniel Marnion	115 Avian Way	Er. Pool-In Grnd	
20238859		Alliance Homes	11 Hickory Ln	Er. Dwlg.-Sin.	
20238860		Ivy Lea Construction Inc.	1129 Penora St	Er. Deck	
20238866		Buscaglia Decks	11 Mary Rachel Pl	Er. Deck	
20238874		Patrick Flatley	61 Old Post Rd	Er. Pool-In Grnd	
20238887		Regency Builders LLC	712 Pleasant View Dr	Er. Dwlg.-Sin.	
20238891		Essex Homes of Western NY	12 Northfield Ln	Er. Dwlg.-Sin.	
20238892		Besroi Construction	29 Mary Rachel Pl	Er. Deck	
20238893		Besroi Construction	31 Mary Rachel Pl	Er. Deck	
20238899		Anderson Water Systems Inc.	14 Beatrix Cir	Inst. Generator	
20238904		Besroi Construction	293 Pavement Rd	Re-Roof	
20238905		Besroi Construction	26 Hill Valley Dr	Re-Roof	
20238906		Besroi Construction	14 Waltham Ave	Re-Roof	(V/L)
20238908		Besroi Construction	130 Fourth Ave	Re-Roof	(V/L)
20238909		Zenner & Ritter Co. Inc.	19 Tranquility Trl	Inst. Generator	
20238910		Zenner & Ritter Co. Inc.	18 Beatrix Cir	Inst. Generator	
20238914		Expert Fence Company Inc.	115 Avian Way	Er. Fence	
20238917		Blackbird Customs Buffalo LLC	28 Wilkshire Pl	Er. Res. Alt.	(V/L)
20238918		City Fence	25 Thornapple Ln	Er. Fence	(V/L)
20238919		Dennis Kuenzi	36 Newell Ave	Er. Shed	(V/L)
20238921		Rich Pools	12 Clermont Ct	Er. Pool-Abv Grnd	
20238922		Cudzilo Holdings, LLC	98 Pleasant Ave	Dumpster - Temp.	(V/L)
20238923		Marrano/Marc Equity Corp.	75 Grambo Dr	Er. Dwlg.-Sin.	
20238924		City Fence	3893 Walden Ave	Er. Fence	
20238926		Commercial Power Systems	10 Quail Run Ln	Inst. Generator	
20238928		Good Earth Organics Corp.	5950 Broadway	Er. Sign	
20238929		Adam Rivers	4 Traceway	Er. Shed	
20238930		Iroquois Fence Inc.	3987 Walden Ave	Er. Fence	
20238931		Austin Polino	380 Central Ave	Er. Fence	
20238933		Crist Construction	58 Avian Way	Er. Porch/Porch Cove	
20238934		Star Construction	50 Hidden Meadow Cros	Er. Shed	
20238935		Stellar Roofing	53 Harvey Dr	Re-Roof	(V/L)
20238936		Iroquois Fence Inc.	41 Deepwood Pl	Er. Fence	
20238937		P&G Woods Construction Co.	47 Madison St	Er. Res. Alt.	(V/L)
20238938		Iroquois Fence Inc.	39 Partridge Walk	Er. Fence	
20238939		Alliance Homes	30 Hickory Ln	Er. Dwlg.-Sin.	
20238940		Scott Lee	20 Deepwood Pl	Er. Fence	
20238941		Christopher Au	3 Country Pl	Er. Fence	
20238943		Riverside Door & Window Inc.	16 Rose Hill Cir	Re-Roof	
20238945		Shamrock Contracting	5011 William St	Re-Roof	
20238946		Homes Unlimited	129 Seneca Pl	Er. Fence	
20238947		Craig Fuller	1140 Penora St	Er. Fence	
20238949		The Vinyl Outlet Inc.	45 Fifth Ave	Er. Fence	(V/L)
20238951		Elmer W. Davis Inc.	5200 Broadway	Re-Roof	(V/L)
20238952		Stockmohr Co. Inc.	5002 William St	Re-Roof	
20238953		Thrifty Roofs LLC	5580 Broadway	Re-Roof	(V/L)
20238957		Happy Home Exteriors LLC	36 Summerfield Dr	Re-Roof	
20238958		Gen-Tech Power Systems LLC	19 Weathersfield Ln	Inst. Generator	
20238959		Gen-Tech Power Systems LLC	12 Saybrook Dr	Inst. Generator	
20238962		Gary Kent	10 Magrum Ln	Er. Fence	
20238964		Frank Palumbo	65 Pheasant Run Ln	Er. Fence	

20238965	City Fence	1266 Penora St	Er. Fence	
20238969	Home Power Systems LLC	56 Chestnut Corner	Inst. Generator	
20238971	Sam Freund	73 Stony Rd	Er. Res. Alt.	
20238972	Neth & Son Inc.	1 Edgewood Rd	Re-Roof	(V/L)
20238976	All Starr WNY Inc.	182 Pleasant View Dr	Er. Fence	
20238980	Selmar Dorsey II	387 Schwartz Rd	Er. Fence	

NOW THEREFORE BE IT

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws; and

WHEREAS, the Town Board of the Town of Lancaster is considering a local law revising Chapter 400 of the Town of Lancaster Code, Zoning, Article IV updating 400-16(D) “Commercial and/or unlicensed vehicles in residential areas,” a copy of which local law is available for review at the Town Hall; and

WHEREAS, pursuant to the Town of Lancaster Code and the Municipal Home Rule Law, a public hearing is required on the Local Law.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

- 1. The two public hearings for the revised Local Law is hereby set for the 1st and 15th of May, 2023, at 7:05 P.M.
- 2. The Town Clerk is directed to provide notice of the public hearing as required by law.
- 3. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lancaster will hold two Public Hearings on the 1st and 15th of May, 2023 at 7:05 P.M., at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purposes of considering and possibly revising a Local Law to amend the Town of Lancaster Code, **Chapter 400, Zoning, Article IV updating 400-16(D) “Commercial and/or unlicensed vehicles in residential areas.”** Copies of the revised Local Law can be reviewed at Lancaster Town Hall, 21 Central Avenue, during normal business hours and on the Town of Lancaster’s website, <http://www.lancasterny.gov>. All interested members of the public shall be heard.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: DIANE M. TERRANOVA
Town Clerk

April 20, 2023

Town of Lancaster
Local Law No. ____ of 2023

A Local Law amending the current and enacting a revised Chapter 400, Zoning, Article IV updating 400-16(D) “Commercial and/or unlicensed vehicles in residential areas.”

Be it hereby enacted by the Town Board of the Town of Lancaster as follows:

Article IV Residential Districts

D. Commercial and/or unlicensed vehicles in residential districts.

- (1) Principal garaging or open storage of any commercial vehicle, as defined in this chapter, is only permitted in the A-R District, except that one commercial vehicle, the rated capacity of which shall not exceed 3/4 ton, shall be permitted only if housed within a completely enclosed building.

E. Trailers, camper-trailers, campers, recreational vehicles or boats in residential districts.

- (1) One trailer, camper-trailer, camper, recreational vehicle, or boat may be parked on a driveway in the required front yard of any residence district, provided that:

(a) It shall not obstruct clear vision under § 400-35 of this chapter.

(b) It shall not be parked or stored within 10 feet of the front lot line.

(c) It shall not be parked or stored within five feet of any side lot line.

(d) If the stored or parked height exceeds 13.0 feet, total height from ground to the top of any roof-mounted apparatus, the vehicle shall be parked or stored in the rear yard or housed within a completely enclosed building.

(e) It shall comply with the provisions of Chapter 355, Vehicles, Abandoned, of this Code, including, without limitation:

- i. The person having the property and/or title, including a person entitled to the use and possession of a vehicle subject to a security interest of another person, and also including any lessee or bailee of a vehicle having the use thereof under lease or otherwise shall be the same owner of the real property upon which the trailer, camper-trailer, camper, recreational vehicle, or boat is stored.
- ii. As referenced above, the owner of real property shall be read to mean the legal owner, contract purchaser, tenant, lessee, occupant, subtenant, trustee, bailee, receiver or assignee of premises or real property located within the Town of Lancaster.

(f) It shall have been registered within the previous 12 months.

F. Formerly E

G. Formerly F

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER LEARY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has the responsibility and authority to make appointments to the Lancaster Industrial Development Agency; and

WHEREAS, Andrew Streit, of the Town of Lancaster has submitted his request to be appointed a Member of the Lancaster Industrial Development Agency.

NOW, THEREFORE,

BE IT, RESOLVED, that Andrew Streit, of the Town of Lancaster, be and is hereby appointed to the position of Member, Lancaster Industrial Development Agency; and

BE IT FURTHER

RESOLVED, that this appointment shall be effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER LEARY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Anthony J. Cervi, Town Justice and David S. Stabler, Town Justice of the Town of Lancaster, by letter dated February 14, 2023, have requested an adjustment to the rate of pay for the following part time permanent employees.

NOW, THEREFORE,

BE IT RESOLVED, that the following individual(s), titled as Court Officers, are hereby given adjustments to their rate of pay as follows, effective April 18, 2023:

<u>NAME</u>	<u>CURRENT RATE OF PAY</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Marc T. Adamberger (Provisional)	\$19.10	\$22.50	April 18, 2023
Justin A. Everett (Provisional)	\$19.10	\$22.50	April 18, 2023
Michael F. Jablonski	\$19.10	\$22.50	April 18, 2023
Richard W. Lewis (Provisional)	\$19.10	\$22.50	April 18, 2023
Michael V. Morris	\$19.10	\$22.50	April 18, 2023
Edward S. Pastorek (Provisional)	\$19.10	\$22.50	April 18, 2023
Tiffany Schillo (Provisional)	\$19.10	\$22.50	April 18, 2023

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Water District No. 1 of the Town of Elma maintains hydrants within the Town Elma along the southerly line of Hall Road between Bowen Road and Ransom Road; and

WHEREAS, the Town Board of the Town of Lancaster on behalf of the Fire Protection District of the Town of Lancaster has heretofore contracted with Water District No. 1 of the Town of Elma for the use of said hydrants and now seeks to extend the contract for the use of said hydrants; and

WHEREAS, the Fire Protection District of the Town of Lancaster seeks to pay to Water District No. 1 of the Town of Elma the sum of \$161.00 per hydrant per year for a total of 15 hydrants along the southerly line of Hall Road between Bowen Road and Ransom Road, for a period of five (5) years, commencing on April 1, 2023, and terminating on March 31, 2028.

NOW THEREFORE,

BE IT RESOLVED, that the Supervisor be and is hereby authorized to execute an Agreement by and between the Town of Lancaster on behalf of the Fire Protection District of the Town of Lancaster and Water District No. 1 of the Town of Elma for hydrant rental in the amount of \$161.00 per hydrant per year for a total of 15 hydrants along the southerly line of Hall Road between Bowen Road and Ransom Road, for a period of five (5) years, commencing on April 1, 2023, and terminating on March 31, 2028; and

BE IT FURTHER,

RESOLVED, that should Water District No. 1 of the Town of Elma install an additional hydrant or hydrants required for future construction, rental for said hydrant(s) shall be paid in accordance with the contract between the parties as presented.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER LEARY, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Edward Schiller, of Wm. Schutt Associates, P.C., the Town of Lancaster’s consulting engineers, by letter dated April 11, 2023, has requested that the Town Board authorize an invitation to bid for the installation of inner and outer entrance doors at the Youth Bureau, 100 Oxford Avenue, in the Town of Lancaster; and

WHEREAS, the Town Board has given due review and consideration to the request for the installation of inner and outer entrance doors at the Youth Bureau and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York.

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the Youth Bureau building improvements, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on May 4, 2023, and opened thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

NOTICE TO BIDDERS

TOWN OF LANCASTER
ERIE COUNTY, NEW YORK
YOUTH BUREAU
DOOR IMPROVEMENTS
100 OXFORD AVENUE

General Notice

The Town of Lancaster is requesting Bids for the construction of the following Project:

Youth Bureau Door Improvements 100 Oxford Avenue

Bids for the construction of the Project will be received at the office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086 until May 4, 2023 at 10:00 AM local time. At that time the Bids received will be publicly opened and read.

The Project consists of the installation of inner and outer entrance doors at the Youth Bureau, 100 Oxford Ave. in the Town of Lancaster.

Obtaining the Bidding Documents

The Issuing Office for the Bidding Documents is Avalon Document Services,
www.avalonplanroom.com.

Prospective Bidders may examine the Bidding Documents at the Issuing Office or at the offices of Wm. Schutt Associates, Construction Exchange of Buffalo and WNY, or Dodge Reports. Copies of the Bidding Documents may be obtained from the Issuing Office as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office.

Beginning at 9:00 AM, on April 20, 2023, if bidders wish to purchase printed copies of the Contract Documents, they must be obtained through Avalon Document Services. The fee paid to Avalon is nonrefundable. Only official plan holders will be allowed to bid on the project. Bidders acknowledge that they are responsible for review of all components of the Contract Documents, including all specification sections and drawings, regardless of how many drawings they print and in which format/size they are printed.

Instructions to Bidders.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

This Advertisement is issued by:

Owner: Town of Lancaster, New York

By: Diane Terranova

Title: Town Clerk

Date: April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town of Lancaster previously entered into an agreement with Greater Niagara Mechanical, Inc., to provide preventative inspection and maintenance services for the HVAC system located within the Town of Lancaster’s Public Safety (Police and Court) Building; and

WHEREAS, said contract expired according to its terms on March 31, 2023; and

WHEREAS, by letter dated March 28, 2023, Michelle Barbaro, has requested to continue the agreement for preventative inspection and maintenance services for the HVAC system located at the Lancaster Public Safety Building with Greater Niagara Mechanical, Inc, for another year; and

WHEREAS, funding for this service is available from the Town’s 2022 Buildings, Miscellaneous Contractual Services Budget (Line Item 01-1620.4011).

NOW, THEREFORE,
BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves and authorizes the Supervisor to execute the proposal between the Town of Lancaster and Greater Niagara Mechanical, Inc., to continue to provide preventative inspection and maintenance services to the HVAC system located within Town of Lancaster’s Public Safety (Police and Court) Building, commencing April 1, 2023 and terminating March 31, 2024 at a cost not to exceed \$5,480.00 per their proposal dated March 22, 2023, and which will be paid for with funds available in the Town’s 2023 Buildings, Miscellaneous Contractual Services Budget (Line Item 01.1620.0411).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Edward Schiller, of Wm. Schutt Associates, P.C., the Town of Lancaster’s consulting engineers, by letter dated April 11, 2023, has requested that the Town Board authorize an invitation to bid for the Senior Citizen’s Center Site Additions Project consisting of the installation of an asphalt pickle ball court, gazebo and concrete sidewalks, at 100 Oxford Avenue, Lancaster, New York; and

WHEREAS, the Town Board has given due review and consideration to the request for the Senior Citizen’s Center Site Additions, and deems it in the public interest to invite public bids in conformance with General Municipal Law Section 103 of the State of New York.

NOW, THEREFORE,
BE IT, RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for the Senior Center Site Additions Project, said bids are to be in conformance with the plans and specifications which are available at the office of Wm. Schutt & Associates, P.C., 37 Central Avenue, Lancaster, New York 14086 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on May 10, 2023, and opened thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

ADVERTISEMENT FOR BIDS
TOWN OF LANCASTER
ERIE COUNTY, NEW YORK
SENIOR CITIZENS CENTER
SITE ADDITIONS
100 OXFORD AVENUE

General Notice

The Town of Lancaster is requesting Bids for the construction of the following Project:

Senior Citizens Center
Site Additions
100 Oxford Avenue

Bids for the construction of the Project will be received at the office of the Town Clerk, 21 Central Avenue, Lancaster, New York 14086 until Wednesday May 10, 2023 at 10:00 AM local time. At that time the Bids received will be publicly opened and read.

The Project consists of the installation of an asphalt pickle ball court, gazebo and concrete sidewalks at the Senior Citizens Center at 100 Oxford Avenue in the Town of Lancaster.

Obtaining the Bidding Documents

The Issuing Office for the Bidding Documents is Avalon Document Services,
www.avalonplanroom.com.

Prospective Bidders may examine the Bidding Documents at the Issuing Office or at the offices of Wm. Schutt Associates, Construction Exchange of Buffalo and WNY, or Dodge Reports. Copies of the Bidding Documents may be obtained from the Issuing Office as described below. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including addenda, if any, obtained from sources other than the Issuing Office.

Beginning at 9:00 AM, on Wednesday April 19, 2023, if bidders wish to purchase printed copies of the Contract Documents, they must be obtained through Avalon Document Services. The fee paid to Avalon is non-refundable. Only official plan holders will be allowed to bid on the project. Bidders acknowledge that they are responsible for review of all components of the Contract Documents, including all specification sections and drawings, regardless of how many drawings they print and in which format/size they are printed.

Instructions to Bidders.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

This Advertisement is issued by:

Owner: Town of Lancaster, New York
By: Diane Terranova
Title: Town Clerk
Date: April 20, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER DICKMAN, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, James Basil, JBC Properties LLC, 5077 Transit Road, Lancaster, New York 14086 has applied to the Town Board of the Town of Lancaster for a permit for Private Improvements upon real property in the Town of Lancaster on 5071 Transit Road, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plans and permit application for the installation of the private improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE,

BE IT RESOLVED, that Private Improvement Permit Application No. 848 of James Basil, JBC Properties LLC, 5077 Transit Road, Lancaster, New York 14086 which is a permit for Private Improvements for the installation of:

- 15,000 sq. ft. pole barn, pavement & curbs, storm sewer, water line and sidewalk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
COUNCIL MEMBER WOZNIAK	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, by letter dated April 10, 2023 from John Pilato, the Town of Lancaster Highway Superintendent, has requested the Town Board approve expenditures for Macro Clay Infield Mix to be used for maintenance of the diamonds throughout the Town of Lancaster softball and baseball fields; and

WHEREAS, by letter dated April 10, 2023, John Pilato, has recommended that the Town of Lancaster authorize said expenditure from the Lakeside Sod, 6660 Goodrich Rd., Clarence Center, New York 14032, in an amount not to exceed Twenty-Thousand Dollars (\$20,000) per its quote dated February 8, 2023; and

WHEREAS, this project will be paid for with funds from the Line Item 37-7000-400.

NOW, THEREFORE,
BE IT RESOLVED, that The Town Board of the Town of Lancaster hereby approves the expenditure of funds as requested by Highway Superintendent John Pilato, to Lakeside Sod, 6660 Goodrich Rd., Clarence Center, New York 14032, in an amount not to exceed Twenty Thousand Dollars (\$20,000), per its quote dated February 8, 2023, for Marco Clay Infield Mix, and to be paid for with funds allocated in the Line Item 37-7000-400.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, John Pilato, Highway Superintendent, of the Town of Lancaster, by letter dated April 11, 2023 has recommended the appointment of the following individual(s) to the following part-time temporary seasonal position(s).

NOW, THEREFORE,

BE IT RESOLVED, that the following individual(s) are hereby appointed to the following part-time temporary seasonal position(s) in the Parks, Recreation and Forestry Department, for a period not to exceed five (5) months, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kyle Backert Lancaster, NY	Laborer	\$16.50	April 17, 2023
William Chilelli Lancaster, NY	Laborer	\$16.50	April 17, 2023
John Cook Lancaster, NY	Laborer	\$16.50	April 17, 2023
Conor Mahony Lancaster, NY	Laborer	\$16.50	May 15, 2023
Richard Frey Lancaster, NY	Recreation Supervisor	\$20.60	April 7, 2023

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Town of Lancaster Police Patrol Captain, Jonathan Ziders, by letter dated March 29, 2023, has requested the purchase of **five (5) new 2023 Dodge Chargers AWD Vehicles**, and **one (1) new 2023 Dodge Durango Pursuit** for use by the Police Department; and

WHEREAS, the above-referenced vehicles are available for purchase under New York State’s “Piggybacking” Law through the Onondaga County Division of Purchase, 071-05 Police and Administrative Vehicles, Bid Reference No. 0010808, from authorized vendor Robert Green Auto and Truck (Vendor Code #5521), which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law; and

WHEREAS, Captain Ziders has recommended the purchase of **the five (5) 2023 Dodge Chargers AWD vehicles and the one (1) Dodge Durango Pursuit**, in accordance with said specifications, be made from Robert Green Auto and Truck, for a unit price of Thirty-Seven Thousand Five Hundred Seventy-One and 53/100 (\$37,571.53) Dollars for each 2023 **Dodge Charger Pursuit AWD** and Forty-Three Thousand Forty-Seven and 40/100 (\$43,047.40) Dollars for one **Dodge Durango Pursuit**; and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of said vehicles.

NOW, THEREFORE,

BE IT RESOLVED as follows, that the Town Board of the Town of Lancaster hereby approves the purchase **five (5) new 2023 Dodge Chargers AWD Vehicles**, and **one (1) new 2023 Dodge Durango Pursuit** for a **unit price Thirty-Seven Thousand Five Hundred Seventy-One and 53/100 (\$37,571.53) Dollars for each 2023 Dodge Charger Pursuit AWD and Forty-Three Thousand Forty-Seven and 40/100 (\$43,047.40) Dollars for one Dodge Durango Pursuit**, which equates to a total expenditure of **Two Hundred Thirty Thousand Nine Hundred Five and 05/100 (\$230,905.05) Dollars** which will be paid for with funds from the Town’s 2023 Public Safety, Equipment Passenger Vehicle Budget, Line Item P005-3120-0220.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKHARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, John Pilato, Highway Superintendent of the Town of Lancaster, by letter dated April 11, 2023, has recommended the appointment of Bruce Stutz of Lancaster, New York to the position of Park Crew Chief in the Town of Lancaster Parks, Recreation and Forestry Department, including Building & Grounds.

NOW, THEREFORE,

BE IT RESOLVED, that Bruce Stutz, be and is hereby appointed to the position of Park Crew Chief in the Town of Lancaster Parks, Recreation and Forestry Department, including Building & Grounds, effective April 18, 2023, contingent upon approval by Erie County Department of Personnel, and

NOW, THEREFORE,

BE IT RESOLVED, that Bruce Stutz of Lancaster, New York, be and is hereby appointed to the position of Park Crew Chief in the Town of Lancaster Parks, Recreation and Forestry Department, including Building & Grounds, effective April 18, 2023 at an hourly rate of \$28.60, on step which represents 85% of the full hourly rate, contingent upon approval by Erie County Department of Personnel, and that such appointment shall be subject to all applicable provisions of law and shall be governed by the same terms and conditions as apply to other non-represented, full-time permanent Town employees; and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has the responsibility and authority to make appointments to the Lancaster Industrial Development Agency; and

WHEREAS, Shannon McNichol, of the Town of Lancaster has submitted her request to be appointed a Member of the Lancaster Industrial Development Agency.

NOW, THEREFORE,

BE IT RESOLVED, that Shannon McNichol, of the Town of Lancaster, be and is hereby appointed to the position of Member, Lancaster Industrial Development Agency; and

BE IT FURTHER,
RESOLVED, that this appointment shall be effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER BURKARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the full time Dog Control Officer is temporarily unable to work in the Town of Lancaster Dog Control Department, and

WHEREAS, in order to ensure that there is effective oversight of the Department in the short term until the full time Dog Control Officer is able to return to work, the Town Board has determined that it will assign full time Assistant Dog Control Officer Elizabeth Bertozzi, to provide Department oversight on a temporary basis, and Elizabeth Bertozzi has consented to such assignment.

NOW, THEREFORE,

BE IT RESOLVED, that the Lancaster Town Board hereby approves the assignment of Elizabeth Bertozzi to provide general oversight to the Department on a temporary basis, and approves, to compensate Elizabeth Bertozzi during this temporary assignment on step at 85% of the \$51,511.00 salary, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL BURKHARD, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Town of Lancaster provides Dog Control services to its residents as well as those in the Villages of Depew and Lancaster; and

WHEREAS, according to New York State Agricultural and Markets Law, Article 7 and Article 26 any dog may be put up for adoption after being held for the legal holding period as determined by the Law; and

WHEREAS, the Town of Lancaster entered into an agreement with the Erie County Society for the Prevention of Cruelty to Animals, a not-for-profit corporation beginning January 1, 2014, with renewals subsequent thereto, to provide adoption, animal cruelty investigation and euthanasia services for the seized dogs within the Town of Lancaster which is now up for review and renewal; and

WHEREAS, the Erie County Society for the Prevention of Cruelty to Animals has prepared and presented an agreement to the Town of Lancaster to provide adoption, animal cruelty investigation and euthanasia services for the seized dogs within the Town per the conditions contained therein for a term commencing March 1, 2023, with automatic annual renewals subject to a thirty (30) day written termination clause, which agreement has been reviewed and approved by Lancaster Dog Control Officer Jean Karn and the Town Attorney.

NOW, THEREFORE,

BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Agreement, between the Town and the Erie County Society for the Prevention of Cruelty to Animals, d/b/a SPCA Serving Erie County, a not-for-profit corporation having offices located at 300 Harlem Road, West Seneca, New York 14224, to provide adoption, animal cruelty investigation and euthanasia services for the seized dogs within the Town of Lancaster and hereby authorizes the Supervisor to execute said agreement which will commence March 1, 2023, with annual renewals and termination according to the terms of the agreement as presented.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MAZUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing on March 1, 2021, pursuant to Chapter 400-Zoning, Article XIV-Administration and Enforcement, Section 78 of the Code of the Town of Lancaster, upon the application of **Andrea DeBernardis** of **AC POWER 14, LLC**, for a Special use Permit to install two (2) Co-located Ballasted Community Solar PV Facilities to be located on two (2) parcels on Gunnville Road, locally identified as SBL Nos. 83.00-6.1 and 84.-1.1, in the Town of Lancaster, New York, and the Board issued such Special Use Permit on April 19, 2021, which is subject to renewal bi-annually upon application by the property owner; and

WHEREAS, by letter dated March 17, 2023, Ari M. Goldberg, Barclay Damon LLP, representing **AC Power 14, LLC**, has requested that the town Board renew the Special Use Permit for an additional two (2) year period; and

WHEREAS, the Code Enforcement Officer has recommended the approval of this Special Use Permit renewal in his letter dated March 21, 2023.

**NOW, THEREFORE,
BE IT RESOLVED:**

1. That pursuant to Chapter 400-Zoning, Article XI-Solar Energy Facilities, Section 58 Special Use Permit Requirements, and Article XIV-Administration and Enforcement, Section 78 Special Use Permits, of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant to **AC POWER 14, LLC**, a Special use Permit to install two (2) Co-located Ballasted Community Solar PV Facilities to be located on two (2) parcels on Gunnville Road, locally identified as SBL Nos. 83.00-6.1 and 84.-1.1, in the Town of Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 19, 2023 and ending April 18, 2025 subject to the following conditions:

A. Permit must be renewed every two (2) years at no additional cost to applicant. Renewal request is considered upon the property owner submitting a request in writing to the Town Clerk, on or before April 18, 2025.

B. Applicant will authorize representatives from the Building Inspector's Office to enter the premises upon reasonable notice to inspect the premises to verify compliance with this permit.

C. The applicant, AC Power 14, LLC shall maintain the previously approved Irrevocable Decommission Letter of Credit ensuring the proper removal of all equipment associated with this solar facility project and restoration of the landfill to its pre-construction state. The underlying decommissioning/Reclamation Cost Estimate, inclusive of inflation, was previously approved as part of Applicant's Special Use Permit. The Letter of Credit shall continue to be to the benefit of the Town and in the amount of all factors including but not limited to environmental liabilities, decommissioning costs, and reclamation costs as outlined in a Reclamation Cost Estimate which Applicant previously submitted and which took into account the costs associated with inflation, changes in recycling standards, returning the land to its original contour and establishing sustainable vegetation. The sufficiency of the value of the Letter of Credit shall be re-evaluated by Applicant at Applicant's expense at the request of the Town when the Town reasonably believes that costs and inflation warrant future reconsideration.

D. The Applicant, AC Power 14, LLC, shall provide to the Lancaster Town Board the name of the supplier of all Solar Panels to be used in the Lancaster Solar project(s) which will identify what country the Solar Panel parts came from and what country the Solar Panels were assembled in before they are installed.

E.

F. This Special Use Permit terminates when the applicant no longer owns the business.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER BURKARD	VOTED
COUNCIL MEMBER DICKMAN	VOTED
COUNCIL MEMBER LEARY	VOTED
COUNCIL MEMBER MAZUR	VOTED
SUPERVISOR RUFFINO	VOTED

April 17, 2023

ADJOURNMENT:

**MOTION WAS MADE BY COUNCIL MEMBER _____ AND
SECONDED BY COUNCIL MEMBER _____ AND CARRIED,** to adjourn the
meeting at _____ P.M.

ALL IN FAVOR, ANY OPPOSED, MOTION CARRIED, MEETING ADJOURNED.

April 17, 2023

Signed _____

Diane M. Terranova, Town Clerk